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HIGH COURT OF CHHATTISGARH : BILASPUR

Before : Hon'ble Shri Dilip Raosaheb Deshmukh, J.

W.P. (S) No. 6466 of 2007

PETITIONER Revtiraman Singh, S/o Late Janki Singh, aged about 43 yerars, Assistant Teacher, Govt. Primary School, Tarkeshwarpur, Devlopment Block-Prem Nagar, District Sarguja (C.G.), R/o Tarkeshwarpur, Development Block-Prem Nagar, District Sarguja (C.G.)

versus

RESPONDENTS

1. The State of Chhattisgarh, through Secretary, Department of School Education, DKS Bhawan, Raipur (C.G.)
2. Special Secretary, School Education Department, State of Chhattisgarh, D.K.S.Bhawan, Raipur (C.G.)
3. The Collector, Sarguja, at Ambikapur, District Sarguja (C.G.)
4. District Education Officer, Education District-Surajpur, District Sarguja (C.G.)
5. Block Education Officer, Prem Nagar Block, District – Sarguja (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Present:
Shri A.K. Prasad, counsel for the petitioner
Shri Sushil Dubey, Government Advocate for the State.

ORAL ORDER
(Passed on 31.10.2007)

By this petition, the petitioner is challenging the order dated 21.09.2007 (Annexure P/1) passed by respondent No.2-Special Secretary, School Education Department, Mantralaya, D.K.S.Bhawan, Raipur, whereby the petitioner was transferred from Government Primary

School, Tarkeshwarpur, Development Block-Prem Nagar to Government Primary School, Development Block-Lakhanpur, District Sarguja.

2. Shri A. K. Prasad, learned counsel for the petitioner submitted that the petitioner would submit representation before the State Government within 15 days from today, for cancellation of his transfer order on the ground that it violates the transfer policy of the State of Chhattisgarh for the year 2007-08 and further undertake that in the event such representation being considered and rejected, the petitioner shall join at the new place of posting in view of the impugned order dated 21.09.2007 (Annexure P/1). It was further submitted that no one was posted in place of the petitioner, and therefore, the petitioner was continuing to work at the present place of posting i.e. Tarkeshwarpur.

3. Shri Sushil Dubey, learned Government Advocate, who accepted notice on behalf of the respondents, did not oppose the prayer.

4. Learned counsel for the appellant prays that in view of the submissions, the petition may be disposed of with a direction that till decision on his representation, the petitioner shall not be relieved from Government Primary School, Tarkeshwarpur, Development Block-Prem Nagar.

5. In view of the concession granted by learned Government Advocate, it is ordered that in the event of the petitioner submitting a representation within a period of 15 days from today against his transfer vide order dated 21.09.2007 (Annexure P/1), the State Government shall consider such representation and pass suitable orders thereon. Till such

representation is decided, the petitioner shall not be relieved from his present place of posting i.e. Tarkeshwarpur.

6. With the aforesaid direction, the petition stands disposed of.

Sd-/
Dilip Raosaheb Deshmukh
Judge